

REMARKS/ARGUMENTS

Claims 1 – 7 and 9 – 20 are pending. Claim 8 has been canceled. The Office has rejected claims 1 – 7 and 9 – 20. Applicants respectfully request reconsideration of the application in view of the amendments and remarks made herein.

Claims 1 – 5 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Pat. No. 5,277,350 (“Thornbury”); Claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as unpatentable over Thornbury in view of U.S. Pat. No. 5,868,348 (“Bulman”); Claims 9 – 12, 14, and 17 – 20 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Pat. Publ. No. 2001/0029814 (“Tiano”) in view of Thornbury; Claim 13 and 15 stands rejected under 35 U.S.C. §103(a) as unpatentable over Tiano in view of Thornbury, and further in view of Bulman; and Claim 16 stands rejected under 35 U.S.C. §103(a) as unpatentable over Tiano in view of Thornbury, and further in view of admitted prior art.

Claims 1 – 7

Independent Claim 1 stands rejected over Thornbury. The applicant has amended Claim 1 to make explicit what was previously implicit: that the column itself mechanically and detachably engages the other portion of the tool. Thornbury does not teach a tool that requires a column to mechanically engage another portion of the tool. Instead, Thornbury teaches two parts of a tool, albeit one part having a column, that engage each another. In Claim 1, it is now even more clear that the column itself must engage the other portion of the tool, and do so mechanically.

Independent Claim 1 is thus believed to be patentable over the cited art. Claims 2 – 7 depend from Claim 1 and are therefore also believed to be patentable by virtue of their dependence from a patentable claim.

Claims 9 – 20

Independent Claims 9 and 17 stand rejected over Tiano in view of Thornbury. The Office Action thereby proposes to combine the teachings of Tiano with the teachings of Thornbury to render Claims 9 and 17 obvious.

The applicant has amended Claims 9 and 17 in a similar manner to Claim 1. Tiano does not teach all of the limitations of the amended claims. Therefore, the cited portions of Tiano and Thornbury, as discussed regarding Claim 1, do not disclose all the limitation of Claims 9 and 17.

Independent Claims 9 and 17 are therefore believed to be patentable over the cited art. Claims 10 – 16 and 18 – 20 depend from either Claim 9 or Claim 17 and are therefore also believed to be patentable by virtue of their dependence from a patentable claim.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
PMB:MTS:cmb

60647801 v1